

# Arnold & Porter

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June 26, 2023

**VIA ECF**

Hon. Denise L. Cote  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1910  
New York, NY 10007

**Re: *American GreenFuels Rockwood (Tennessee), LLC v. Aik Chuan Construction PTE, Ltd.* (Case No. 1:21-cv-07680)**

Dear Judge Cote:

We write respectfully on behalf of Aik Chuan Construction PTE, Ltd. (“Aik Chuan”) pursuant to Section 8 of Your Honor’s Individual Rules and Practices to request permission to file under seal Exhibit A to Aik Chuan’s request for an informal conference pursuant to Section 2.C of Your Honor’s Individual Rules and Practices. Attached hereto as **Exhibit 1** is a copy of Aik Chuan’s request for an informal conference without Exhibit A. Contemporaneously with the filing of this letter, Aik Chuan will file under seal a copy of the request for an informal conference with Exhibit A.

Aik Chuan respectfully submits this letter because Exhibit A to the request for an informal conference is a deposition transcript, portions of which American GreenFuels Rockwood (Tennessee), LLC and Kolmar Americas, Inc. (collectively, “Kolmar”) maintain are Highly Confidential – Attorneys’ Eyes Only pursuant to the confidentiality order entered by the Court. (Dkt. 66.) As detailed in the attached letter request for an informal conference, a good faith dispute exists related to Kolmar’s designation of certain deposition testimony and discovery topics as Attorneys’ Eyes Only, and Kolmar’s withholding of consent to allow Aik Chuan’s two employee designees to receive and review Highly Confidential information, despite the fact that they have executed Confidentiality Attestations consistent with the Protective Order entered by this Court.

We thank the Court for its consideration of this letter.

Respectfully submitted,

/s/ John F. Hagan Jr  
John F. Hagan Jr

*Granted*  
*Denise Cote*  
*June 28, 2023*

cc: Counsel of record (via ECF)